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GOOD MORNING Thank you for giving me this opportunity 24

Please do not bring back the Death Penalty. I worked in the NYS

Department of Corrections for 42 years, the last 20 as

superintendent. The criminal justice system is not perfect.

Supplement
to
Claw Hogenauer

Mistakes are made, innocent people are in prison, and some have

been on Death Row. A few have been executed in New York State.

I worked at Sing Sing on four occasions. The first was over 50

years ago. From June 1953 until January 1956, while I was at Sing

Sing 20 executions took place including the Rosenbergs. The good

State of New York was ritually killing people. It was terrible, it

was Gruesome. It was administered unfairly. Geography and

ethnicity were significant factors. Most of the executed were poor.

In 1956 I left Sing Sing and went to Green Haven a big maximum

security prison in Dutchess County. Half of the 2,000 inmates were

serving sentences for homicide. Not all your murderers went to the

Death House. In fact only a very small percentage and they were

not the worst of the worst. Some of the inmates at Green Haven

committed crimes far more hideous then some sentenced to death.

One example, a man killed a 9 year old boy. The dead boy was found hanging from a tree. The hanging occurred after he was sodomized. The inmate was permitted to plea to a lesser crime. My guess was that the county wanted to avoid the expense of a death penalty trial. The 9 year old boy was black, his parents were drug addicts. There was little community concern. Oh, by the way, the inmate was white. When the offender is black and the victim is white the chances of the Death Penalty increases. Twelve of the last thirteen executions involved black offenders. The last one and I hope it remains the last one, was Eddie Lee Mays who was executed on august, 15th 1963. He killed a white woman during a robbery.

In Sing Sing, Green Haven, Attica, and Downstate, I dealt with all types of inmates. Robbers, burglars, sex offenders etc. For our discussion here the most significant were government officials convicted of work related crimes. These include a few commissioners, judges, lawyers and a quite a few police officers and detectives. Some talked freely about planting false evidence

and making false statements, perjury, in order to obtain convictions. Some said you had to be creative, especially when dealing with “liberal” judges. You had to build a solid case. Some said it was common practice, it was just they got caught. I don’t know how wide spread it is, but I do know that innocent people are convicted I met some in prison including Izzy Zimmerman who was on Death Row. His sentence was subsequently commuted and later he was found not guilty and released after serving 28 years. In 1977 I went back to Sing Sing as superintendent. The electric chair was no longer at Sing Sing, but in a closet I found old Death House records. It included medical records, some in long hand, describing in gory detail what happened to the body when the electricity burns various organs. This is barbaric. If we bring back the death penalty injection will replace electricity. And it may be more humane. I say maybe because I do not know. But using medical staff to kill seems very strange to me. Several doctors told me that they would refuse to participate. Medical staff are trained to prolong life, not end it. If the death penalty is brought back I

hope additional mental hygiene staff is included to work with staff designated to the Death House. I remember P. K. Kelly who was in charge of carrying out this revolting procedure. He got drunk after every execution.

From 1891 to 1963 at Sing Sing 606 men and 8 women were executed. Some had the mentality of children, some were mentally ill. At least 7 were probably not guilty. I did not include the Rosenbergs whose question of guilt or innocence is still debated. I have the names of those who I believe were innocent. These injustices occurred a long time ago. Our legal system has more safeguards but mistakes are still possible. Corruption and racism are still with us.

Please don't let the death penalty come back. What a terrible example it sets. Our government has to kill people in order to solve problems. You've heard this from others, but I have to repeat it.

The death penalty is barbaric. It is irreversible, and the only purpose it serves is to satisfy our need for revenge.